



ClientEarth[⊕]



OCEANA

The Nature Conservancy 



Call for the GFCM to **increase transparency and tackle IUU fishing**

Ahead of the 45th Commission of the GFCM in Tirana, Archipelagos, ClientEarth, the Environmental Justice Foundation, Oceana and The Nature Conservancy, who work together under the Med Sea Alliance to protect the Mediterranean Sea against the impacts of illegal, unreported and unregulated (IUU) fishing are calling on the GFCM to take ambitious measures to tackle IUU fishing.

Halting destructive fishing practices in the Mediterranean is a prerequisite for ensuring the survival of its unique biodiversity, but also of the communities that rely on marine resources.

Proper implementation and compliance with the General Fisheries Commission for the Mediterranean (GFCM) regulations on Fisheries Restricted Areas is crucial, to ensure their effective impact on stock recovery, as more than 75% of Mediterranean fish populations remain subject to overfishing. It is thus of the utmost importance for the GFCM CPCs to act swiftly and decisively on IUU fishing, and implement GFCM commitments.

For the GFCM Meeting in Tirana, we call the GFCM CPCs to:

Take effective action against cases of non-compliance

As stated in the [2017 OECD report](#), “*The effectiveness and credibility of RFMOs in their fight against IUU fishing also depend on the strength of their deterrence mechanisms. Provisions allowing compliance committees to impose adequate sanctions embedded in the text of each [Recommendation] give RFMOs power to follow-up on identified non-compliance*”.

GFCM’s promotion of positive measures to increase compliance (e.g. through technical assistance), coupled with progress monitoring, is essential. Still, well defined and deterrent sanctions based on the gravity and recurrence of non-compliance should be established, in accordance with the Resolution GFCM/44/2021/13. It is therefore important to support the Compliance Committee’s efforts towards this, and we welcome the decision to look at best practices in other RFMOs, for example in ICCAT, as explained below.

Accordingly, we urge the GFCM CPCs to strengthen the analysis of the Compliance Committee and implement a transparent system of robust sanctions for CPCs.

Robust sanctions could be, such as non-discriminatory market and trade-related measures or reduced fishing opportunities for repeat offenders.

Such provisions already exist in ICCAT, as required by ICCAT Recommendation 06-13 concerning trade measures as well as ICCAT Resolution 16-17 Establishing an ICCAT schedule of actions to improve compliance and cooperation with ICCAT measures (namely “Step 3: Application of actions to address compliance failures”, which already proposes a range of potential actions against non-compliant CPCs¹). The role of the GFCM Secretariat on the follow-up actions in cases of IUU fishing should also be reinforced.

Particular attention should also be paid to the full transposition of the GFCM decisions into CPCs’ national legislation as a basic indicator of compliance, and failure to report transposition should be considered significant non-compliance. If CPCs do not provide the required information about implementation of MCS measures in FRAs or do not report information on the AVL list about vessels operating in FRAs, the CoC should categorise this under “category B” as significant non-compliance and adopt deterrent sanctions accordingly. When non-authorised vessels operate inside FRAs, the CoC should categorise these activities under “category C” as significant non-compliance and adopt deterrent sanctions accordingly, including listing the non-compliant vessels on the Provisional GFCM IUU Vessel List.

In addition, we urge to ensure proper implementation of the Recommendation GFCM/44/2021/12 on a multiannual management plan for bottom trawl fisheries exploiting demersal stocks in the Strait of Sicily (geographical subareas 12 to 16), especially the temporary closure of the Gulf of Gabes to any bottom trawl vessels as specified in part III point 18; the investigation conducted by the organization FishAct in 2018 evidenced possible illegal bottom trawling activities².

Amend the Recommendation GFCM/42/2018/5 to, in line with other MAPs, make publicly available on the GFCM website the AVL of vessels exploiting deep-sea shrimp and European hake in the Strait of Sicily, similar to the AVL provided for the demersal shrimp species MAP in the same area

The general GFCM authorised vessel list was recently amended by the Recommendation GFCM/44/2021/18 which improved the amount of information publicly available, allowing more transparency and effective monitoring. The GFCM also has a regional fleet register (GFCM/33/2009/5), as well as authorised vessels lists for certain Fisheries Restricted Areas (FRAs) and Multiannual Management Plans (MAPs). Out of nine MAPs (including a set of management measures for dolphinfish), seven already disclose public information regarding the

¹ ICCAT Recommendation 06-13 concerning trade measures <https://www.iccat.int/Documents/Recs/compendiopdf-e/2006-13-e.pdf> and Resolution 16-17 Establishing an ICCAT schedule of actions to improve compliance and cooperation with ICCAT measures <https://www.iccat.int/Documents/Recs/compendiopdf-e/2016-17-e.pdf>

² https://fishact.org/wp-content/uploads/2018/12/FishAct_Tunisia_Report_2018_final_version.pdf

vessels allowed to fish on the relevant MAP areas (see table 1 in the annex). We therefore request to amend the Recommendation GFCM/42/2018/5 to, in line with other MAPs, make publicly available on the GFCM website the AVL of vessels exploiting deep-sea shrimp (*Parapenaeus longirostris*) and European hake (*Merluccius merluccius*) in the Strait of Sicily (under MAP GSA 14-16).

Increase the ambition on vessel monitoring and adopt a new Recommendation on the establishment of a regional VMS

GFCM is one of the two RFMOs without a regional system for VMS in its Convention area and no requirement for data sharing between flag and coastal States. This gap creates inefficiencies and difficulties for cross-jurisdiction operators, allowing IUU vessels to slip through the net.

The Resolution GFCM/44/2021/8 established 2 pilot projects: one looking into the possibility of a centralised VMS; and one looking into a decentralised or regionalised VMS. As reflected in output 2.3 of the 2030 GFCM Strategy, the development of a GFCM VMS is crucial to improve monitoring, control and surveillance at regional level.

We commend the work of the VMS Working Group, and we call upon the CPCs to work together on these two important projects and complete the piloting phase within a reasonable timeframe. We look forward to the Secretariat presenting the final report with all relevant vessel monitoring data, as well as a cost evaluation of both pilot projects and for the VMS Working Group's recommendations on the future implementation of VMS in the GFCM area of application. In the long term, we ask the GFCM to adopt a Recommendation to require VMS for all vessels, as well as AIS for vessels above 15 meters.

Amend the Recommendation GFCM/44/2021/18 Concerning the Establishment of a GFCM Record of Vessels Over 15 metres Authorised to Operate in the GFCM Area to strengthen the GFCM Authorised Vessel List to make it more complete, transparent and functional

The GFCM amended the Authorised Vessel List in 2021 to require CPCs to add, for example, information on which vessels are authorised to fish in specific FRAs. This is a step in the right direction, however we ask to amend the Authorised Vessel List to also include:

- **Previous flag state and previous owner,**
- **Information on the beneficial owner.**

In addition, make the following information public, which is currently restricted only to the CPCs:

- **Owner's address, city, zip code and country, including information on the beneficial owner,**
- **Operator's address, city, zip code and country.**

If the vessel has an authorisation to fish in a FRA, the following information should also be included in the Authorised Vessel List, and made public:

- **Information on the type of authorisation including the target species or species groups;**
- **Number of fishing days;**
- **Fishing gear;**
- **Area and period authorised;**
- **Type of fishing vessel.**

Disclosure of information on the beneficial ownership of fishing vessels, and records of previous non-compliance of vessels or companies, is also vitally important for improving accountability and assisting enforcement efforts. Lack of transparency on beneficial ownership or authorised vessel lists provides an excuse to flag and coastal states to evade their responsibility to enforce fisheries rules. Improving transparency and the accuracy and completeness of publicly accessible information is one of the most effective paths towards ending IUU fishing, and can expose and stop these activities. Creating comprehensive, up to date authorised vessel lists with beneficial ownership information, that are easily accessible to the public, will remove the current veil of secrecy and ambiguity of who can fish where, when, and what, as well as who benefits.

Amend the Resolution GFCM/44/2021/6 On the Application of an International Maritime Organization Number, so that all eligible vessels are required to have an IMO number and so that this information is included in the authorised vessel list

The Resolution GFCM/44/2021/6 has amended the Resolution GFCM/41/2017/6 on the application of an International Maritime Organization number to request CPCs to only authorise their fishing vessels of 20 metres or above (wooden vessels excluded) to operate if eligible vessels have been allocated an International Maritime Organization (IMO) number. While a commendable improvement, the applicability of this new resolution is still not in line with the IMO number eligibility criteria enshrined in the IMO Resolution A1117(30). The IMO Resolution requests the implementation of an IMO number to all motorised fishing vessels, including wooden ones, down to a size limit of 12 meters in length overall (LOA). GFCM remains one of the few RFMO with such a high threshold of 20 meters in length, when numerous other RFMOs such as the Western and Central Pacific Fisheries Commission (WCPFC), The Inter-American Tropical Tuna Commission (IATTC) and The Indian Ocean Tuna Commission (IOTC) have amended their rule in line with the new IMO criterion.

Furthermore, as recognised by the GFCM IUU Working Group, there persists important variation in the assignment of IMO numbers among CPCs, which calls for strengthened implementation, and for a legally-binding IMO requirement.

We urge GFCM CPCs to further update Resolution GFCM/41/2017/6, in order to better align it with the latest IMO number eligibility criteria and best practice from other RFMOs, by requiring IMO numbers for all eligible vessels. We also encourage CPCs to make this Resolution a binding Recommendation.

Ban transshipment at sea in the GFCM area

One way that IUU fish catch is laundered into the seafood market is through transshipments at-sea. This practice, which often occurs on the high seas (the areas of ocean beyond national jurisdiction), allows vessels fishing illegally to evade most monitoring and enforcement measures, offload their cargo, and resume fishing without returning to port. Transshipment can be a way for bad actors to get away with illegal and unscrupulous practices far from the eyes of authorities. To ensure healthy fisheries and help stop illegal fishing, transshipment at sea should be banned in the GFCM areas.

Annex

Table 1. List of GFCM multiannual plans with public AVL

MAP	Public AVL	GFCM Recommendation
Adriatic Sea (small pelagics)	Yes	Recommendation GFCM/37/2013/1
Alboran Sea (Blackspot seabream)	Yes	Recommendation GFCM/43/2019/2
Black Sea (turbot)	Yes	Recommendation GFCM/41/2017/4
Common dolphinfish	Yes	Recommendation GFCM/43/2019/1
Ionian Sea (shrimps)	Yes	Recommendation GFCM/42/2018/4
Levant Sea (shrimps)	Yes	Recommendation GFCM/42/2018/3
Strait of Sicily (demersal shrimps)	Yes	Recommendation GFCM/44/2021/7